

**EXPRESS MAIL NO.: EL 984898341 US**  
**DATE DEPOSITED: NOVEMBER 25, 2003**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Donald E. Weder ) Atty. Dkt. No. 8404.031  
Serial No.: Not Yet Assigned )  
Filed: November 25, 2003 )

For: METHOD FOR FORMING A DECORATIVE COVER FOR A FLOWER POT WITH  
A SHEET OF MATERIAL HAVING PRINTED AND EMBOSSED PATTERNS  
THEREON

Mail Stop - Patent Application  
Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

**List of Sections Forming Part of This  
Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure  
Statement:

1. ☒ Preliminary Statements
2. ☒ FORM PTO/SB/08A AND 08B (formerly Form PTO-1449)
3. ☒ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies are Submitted or Need Be Submitted
4. ☒ Copies of Listed Information Items Accompanying this Statement

5.    ☒    Statement As To information Not found In patents Or Publications
6.    ☒    Identification of Person(s) Making this Information Disclosure Statement

## **Section 1.            Preliminary Statements**

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

## **Section 2.            FORM PTO/SB/08A AND 08B (Modified)**

- ☒    A completed Form PTO/SB/08A and/or 08B is attached hereto.
- ☐    No Form PTO/SB/08A and/or 08B is attached.

## **Section 3.            Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies are Submitted or Need Be Submitted**

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application **U.S. Serial No. 10/385,084, filed on March 10, 2003.**

## **Section 4.            Copies of Listed Information Items Accompanying this Statement.**

Legible copies of all items listed in FORM PTO/SB/08A AND 08B (Modified) accompany this information disclosure statement.

[X] Exception(s) to above:

[X] Items in prior application from which an earlier filing date is claimed for this application, as identified in Section 3.

**Section 5. Statement As To information Not found In patents Or Publications**

Applicant acknowledges and admits that sheets of material constructed of paper have been used in the past to provide a wrapper for floral groupings wherein the sheet of material is hand wrapped about the floral grouping, and such paper sheets and hand wrapping of the sheet about a floral grouping constitute prior art. Applicant is not aware of any such sheets which include an embossed pattern.

Applicant also admits that sleeves of plastic film and paper shaped like the sleeves shown in Figure 14 and functioning to cover a flower pot and floral grouping as shown in Figure 15 are old in the art and constitute prior art. Applicant is not aware of any such sleeves which are constructed of paper and include an embossed pattern.

Applicant admits that sheets of foil have been embossed in the past and constitute prior art. Such embossed sheets of foil have been wrapped about pots and maintained thereabout by the dead fold characteristics of the foil or by a ribbon wrapped about the sheet of foil and the pot.

Applicant admits that paper has been embossed in the past, such as for use as paper towels, for example. Applicant also admits that plastic films and metal films have been embossed in the past to provide decorative sheets of material. Applicant also admits that paper sheets of material have been used in the past to wrap floral groupings and to wrap flower pots. Applicant also admits that paper sleeves have been constructed in the past. Applicant admits that the foregoing constitute prior art.

Applicant acknowledges that embossing rollers and techniques for embossing materials are old in the art and constitute prior art. Applicant also acknowledges that systems for printing colors on or in the embossed portions of the material are old in the art and constitute prior art. Applicant further admits that material have routinely been dispensed from a roll.

However, it is respectfully submitted that none of the above-referenced admissions disclose, teach or even suggest a method for wrapping a floral grouping with a sheet of material constructed of paper having an embossed pattern formed thereon as recited in the claims of the subject application.

**Section 6. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT**

The person making this statement is the attorney who signs below on the basis of the information:

- ☐ supplied by the inventor(s)
- ☐ supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)).
- ☒ in the attorney's file

Respectfully submitted,



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Agent for Applicant

PTO/SB/08A (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>			<b>C mplete if Known</b>		
			Application Number	Not Yet Assigned	
			Filing Date	11/25/2003	
			First Named Inventor	Donald E. Weder	
			Group Art Unit	Not Yet Assigned	
			Examiner Name	Not Yet Assigned	
			Attorney Docket Number	8404.031	
Sheet	1	of	6		

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	AA	682,817		Shaner	09/17/1901	
	AB	732,889		Paver	07/07/1903	
	AC	898,273		Silger, et al.	09/08/1908	
	AD	1,446,563		Hughes	02/27/1923	
	AE	1,525,015		Weeks	02/03/1925	
	AF	1,818,198		Davis	08/11/1931	
	AG	1,850,856		Weindel, Jr.	03/22/1932	
	AH	1,863,216		Wordingham	06/14/1932	
	AI	1,868,283		Fleischer	07/19/1932	
	AJ	1,962,722		Krueger	06/12/1934	
	AK	1,978,631		Herringer	10/30/1934	
	AL	2,028,878		Rider	01/28/1936	
	AM	2,048,123		Howard	07/21/1936	
	AN	2,094,349		Carlson	09/28/1937	
	AO	RE21065		Copeman	05/02/1939	
	AP	2,170,147		Lane	08/22/1939	
	AQ	2,278,673		Savada, et al.	04/07/1942	
	AR	2,294,670		Krueger	09/01/1942	
	AS	2,302,259		Rothfuss	11/17/1942	
	AT	2,337,808		Ford	12/28/1943	

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Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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				<b>First Named Inventor</b>	Donald E. Weder
				<b>Group Art Unit</b>	Not Yet Assigned
				<b>Examiner Name</b>	Not Yet Assigned
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		Number	Kind Code <sup>2</sup> (if known)			
	AU	2,355,559		Renner	08/08/1944	
	AV	2,371,985		Freibert	03/02/1945	
	AW	2,377,295		Cook	05/29/1945	
	AX	2,411,328		MacNab	11/19/1946	
	AY	2,435,739		Cutler	02/10/1948	
	AZ	2,469,030		Brown	05/03/1949	
	BA	2,510,120		Leander	06/08/1950	
	BB	2,529,060		Trillich	11/07/1950	
	BC	2,540,090		Brackney	02/08/1951	
	BD	2,546,522		Quackenbush	03/27/1951	
	BE	2,552,948		Ferrato	05/15/1951	
	BF	2,577,183		Denton	12/04/1951	
	BG	2,605,740		Taylor, et al.	08/05/1952	
	BH	2,621,142		Wetherell	12/09/1952	
	BI	2,782,756		Hunt	02/26/1957	
	BJ	2,806,443		Hom, et al.	09/17/1957	
	BK	2,822,287		Avery	02/04/1958	
	BL	2,846,060		Yount	08/05/1958	
	BM	2,850,842		Eubanks, Jr.	09/09/1958	
	BN	2,883,262		Borin	04/21/1959	

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	BO	3,022,605		Reynolds	02/27/1962	
	BP	3,034,476		Didde, et al.	05/15/1962	
	BQ	3,057,326		Jeddeloh	10/09/1962	
	BR	3,121,647		Harris, et al.	01/18/1964	
	BS	3,130,113		Silman	04/21/1964	
	BT	3,271,922		Wallerstein	09/13/1966	
	BU	3,368,522		Cordis	02/13/1968	
	BV	3,376,666		Leonard	04/09/1968	
	BW	3,431,706		Stuck	11/08/1968	
	BX	3,455,274		Modersohn	07/15/1969	
	BY	3,508,372		Wallerstein	04/28/1970	
	BZ	3,620,366		Parkinson	11/16/1971	
	CA	3,681,105		Milutin, et al.	08/01/1972	
	CB	3,754,642		Stidolph	08/08/1973	
	CC	3,767,104		Bachman, et al.	10/23/1973	
	CD	3,793,799		Howe, et al.	02/26/1974	
	CE	3,924,561		Ruthart, et al.	12/09/1975	
	CF	4,054,697		Reed, et al.	10/18/1977	
	CG	4,118,890		Shore	10/10/1978	
	CH	4,216,620		Weder, et al.	08/12/1980	

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	CI	4,271,221		Hosmer, William A.	06/02/1981	
	CJ	4,280,314		Stuck	07/28/1981	
	CK	4,297,811		Weder, et al.	11/03/1981	
	CL	4,300,312		Weder, et al.	11/17/1981	
	CM	4,333,267		Witte	06/08/1982	
	CN	4,380,564		Cancino, et al.	04/19/1983	
	CO	4,413,725		Bruno, et al.	11/08/1983	
	CP	4,546,875		Zweber	10/15/1985	
	CQ	4,621,733		Harris	11/11/1986	
	CR	4,640,079		Stuck	02/03/1987	
	CS	4,660,502		Scott	04/28/1987	
	CT	4,733,521		Weder, et al.	03/29/1988	
	CU	4,765,464		Ristvedt	08/23/1988	
	CV	4,773,182		Weder, et al.	09/27/1988	
	CW	5,111,637		Weder, et al.	05/12/1992	
	CX	5,111,638		Weder	05/12/1992	
	CY	5,181,364		Weder	01/26/1993	
	CZ	5,245,814		Weder	09/21/1993	
	DA	5,249,407		Stuck	10/05/1993	
	DB	5,335,475		Weder, et al.	08/09/1994	

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